

Emergency Instructions to stop proceedings, if eligible  
 Motions & Petition that possible

**weis**

THANKS FOR SHOPPING WEIS MARKETS #195  
 365 S CEDAR CREST BLVD  
 ALLENTOWN, PA. 18103  
 TELEPHONE: 610-821-4550

YOUR CASHIER TODAY WAS Heidi

Post Office	5.49
TAX	0.00
**** BALANCE	5.49
CASH	6.00
CHANGE	0.51

TOTAL NUMBER OF ITEMS SOLD = 1  
 10/02/08 04:49pm 195 592 81 424

ASK US HOW OUR WEIS SHOPPERS CLUB  
 CAN SAVE YOU \$\$\$'S EVERYDAY

WEIS CLUB MEMBERS  
 HAVE THE POWER TO SAVE MORE

U.S. Postal Service  
**CERTIFIED MAIL RECEIPT**  
 (Domestic Mail Only; No Insurance Coverage Provided)  
 For delivery information visit our website at www.usps.com

Postage	\$ 0.42
Certified Fee	2.70
Return Receipt Fee (Endorsement Required)	2.20
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 5.49

Sent to: Lehman Brothers (All American)  
 Street, Apt. No. or PO Box No. 745 Seventh Avenue  
 City, State, ZIP+4 New York NY 10019

Postmark: OCT 3 2008

Page 1068

Fed: 5-cv-4457  
 Philadelphia, Pa

and  
 Fed: 1:06 mc 54  
 Alexandria, VA  
 and  
 Others

Also on  
 ePacer  
 US  
 Courts

Please see 2  
 federal subpoenas  
 enclosed with  
 official forms  
 and ones recently  
 sent on 7/22/2008

and  
 according to The Morning Call newspaper

Lehman Brothers filed for bankruptcy on  
 Sept. 15 2008

Homeless filings  
 account

federal subpoena

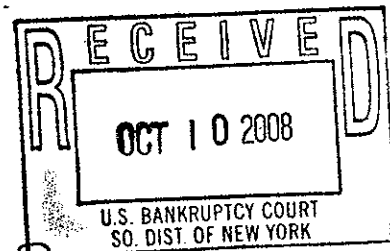
yahoo.com

Thanks!

BR & others

(A class  
 Action)

Other contact US District Court in Allentown Pa  
 (Ruehan)





Page 2 of 8

..!!07/22/2008!!!Please See The Text Body!!!! Please Focus On Definitely Answering 2a After Reading The Other Legal Background Informations and Please See The Text Body. Federal Subpoenas and FOIAs Legal eFilings eSent

Tuesday, July 22, 2008 8:04 PM

From: "b smith" <federalsubpoena@yahoo.com>

To: LehmanCommodities@lehman.com, CorpCommEurope@lehman.com, imd.analyst@lehman.com, tdphires@lehman.com, webmaster@netiq.com, derrick\_vializ@bmc.com, mae\_forsythe@bmc.com, "US Courts JPML" <karen\_redmond@aoc.uscourts.gov>, "Melissa K" <kirchnerm@allentownsd.org>, "L C Clerk Of Courts" <dianewashburn@lehighcounty.org>, "US Dept Of Labor" <foiarequest@dol.gov>, "US Dept Of Labor" <webmaster-oas@dol.gov>, "US Dept Of Labor" <webmaster-sol@dol.gov>, "US Dept Of Labor" <civilrightscenter@dol.gov>, "LC Court Administration" <CAHelp@lehighcounty.org>, "N J District Court" <ecfchange@njdc.uscourts.gov>, "US NAVY" <foia@ogc.law.navy.mil>, "nsf.gov" <foia@nsf.gov>, "Barry @ NYFLIX" <bsmith@nyflix.com>, "US Patent And Trademark Office" <webmaster@uspto.gov>, "Pa State Governors Office" <ob-webmaster@state.pa.us>, "ofheo.gov" <foiaoffice@ofheo.gov>, "ots.treas.gov" <public.info@ots.treas.gov>, "PA Courts Pacer" <pacer@psc.uscourts.gov>, "pacle.org" <pacleb@pacle.org>, "pacourts.us" <civil.rules@pacourts.us>, "pacourts.us" <ccpaopc@pacourts.us>, "pasen.gov" <jrhoades@pasen.gov>, "sba.gov" <fsc.asksba@sba.gov>, "US SEC" <foia/pa@sec.gov>, "US Senator" <arlen\_specter@specter.senate.gov>, senator.simitian@sen.ca.gov, senator@feinstein.senate.gov

US District Court and Others Federal Civil Case Subpoena Side 1.pdf.PDF (812KB),  
US District Court and Others Federal Civil Case Subpoena Side 2.pdf.PDF (1006KB),  
US District Court and Others Federal Criminal Case Subpoena Side 1.pdf.PDF (514KB),  
US District Court and Others Federal Criminal Case Subpoena Side 2.pdf.PDF (521KB),  
Wheel Incident Pictures -More Pictures Are Available Fed5-CV-4457 and Others.PDF (108KB),  
ePacers Denial and Blocking Of A Homeless Litigants Rights To Access His AccountPage 1 of 7.pdf.PDF (164KB),  
ePacers Denial and Blocking Of A Homeless Litigants Rights To Access His AccountPage 2 of 7Fed5-CV-4457and Others.pdf.PDF (162KB),  
United States Whitehouse Website Online Form eFilings System Check and Contents 01302008 Page 1.PDF.PDF (73KB),  
United States Whitehouse Website Online Form eFilings System Check and Contents 01302008 Page 2.PDF.PDF (75KB),  
United States Whitehouse Website Online Form eFilings System Check and Contents 01302008 Page 3.PDF.PDF (30KB)

#### Observations and Opinions.

No Accusations and Allegations are being Expressed and Implied. The Plaintiffs Are Not Responsible For "Misinformations". Official Forms Are enclosed as Attachments. This Legal efilings can be added onto but without a delay on actions, please reply in the timely manner as legally written below. Please note all legal efilings/emails attachments legally binds, bounds and is legally binding to all case filings and efilings including past federal subpoenas sent and/or served. Please read and answer number 2 (all) addressed to you directly. To: All organizations and individuals as legally written in the eFilings Addresses and please see all legal writings below, herewithin and all throughout.

"ALL LEGAL WRITINGS HEREWITHIN AND ALL SURROUNDINGS IS LEGALLY EFFECTIVE IMMEDIATELY" "ALL REPLIES TO BE IN LEGAL WRITINGS AND TO BE SENT TO THE COURTS LISTED, PLEASE" Please include all individuals thought to be and possibly acting on your organizations behalf. Bottom line questions and answers requested: All informations on possible relations, associations and possible involvements of the "possible stealings of informations that have created all the inventions and movies and others legal disputes legally written herewithin and all throughout. Please answer in writings with Real Names of individuals and Real Names Of All Organizations, if applicable and if possible by factual informations not hearsay please. All FOIAs informations legally written below, herewithin and throughout legally applies to all agencies.

A Legal eLaws  
eGovernment(s)

<http://en.wikipedia.org/wiki/EGovernment>

[http://search.yahoo.com/search;\\_ylt=A0geu5.z7cJHyDoBE6istLcF?ei=UTF-8&p=eGovernment&fr=yfp-t](http://search.yahoo.com/search;_ylt=A0geu5.z7cJHyDoBE6istLcF?ei=UTF-8&p=eGovernment&fr=yfp-t)

-501

**YAHOO!** MAIL  
Classic

Page 306 4

!!!!Please See Text Body!!!!Please Legally Answer 2a!!!!7/22/2008!!!!Legal eFilings Of Federal Subpoenas and FOIAs That Are Legally Effective Immediately

Tuesday, July 22, 2008 8:33 PM

From: "prosebobaneyman" <prosebobaneyman@yahoo.com>

To: mjmcmama@lehman.com, invbank.associate.us@lehman.com, lmd.associate@lehman.com, amy.sachrison@netiq.com, press@softwareag.com, Partner\_Certification@bmc.com, staff@film.com, brenda.happ@mail.house.gov, jason.lane@mail.house.gov, info.clerkweb@mail.house.gov, james.franko@mail.house.gov, efilings@vetapp.gov, rita.wallace@ca6.uscourts.gov, karen.redmond@ao.uscourts.gov, ecf\_paed@paed.uscourts.gov, melonie.mccall@usdoj.gov, uscf\_webmaster@ao.uscourts.gov, treasurer@cfbar.org, llevasseur@mayerbrownrowe.com, bryant.snee@usdoj.gov, efoia@doc.gov, foiaappeals@doc.gov, ecf\_clerkoffice@paed.uscourts.gov, vaed\_ecf\_questions@vaed.uscourts.gov, harrlesr@sisd.org, iatorolar@sisd.org, lmparl@sisd.org, twillgin@fjc.gov, "Pa State General Counsel" <gc-webmaster@state.pa.us>, "Pa State Governors Office" <ob-webmaster@state.pa.us>, "Pa State Health Dept" <webmaster@health.state.pa.us>, "Pa State Rep Steve Samuelson" <ssamuels@pahouse.net>, "Pa State Webmaster" <webmaster@dot.state.pa.us>, "Pa Courts Pacer" <pacer@psc.uscourts.gov>, "Pacer Help desk" <pacer.psc@uscourts.gov>, "Center For Ind Rights" <families@nmf.org>, "Human Rights" <hrc@hrc.org>, "Pa Children Rights" <juvenile.rules@pacourts.us>, "Pa Civil Procedural Rules" <civil.rules@pacourts.us>, "sba.gov" <foia@sba.gov>, "sba.gov" <answerdesk@sba.gov>, "sba.gov" <dfchelpdesk1@sba.gov>, "sba.gov" <charlotte.nc@sba.gov>, "sba.gov" <richmond.va@sba.gov>, "sba.gov" <ombudsman@sba.gov>, "sba.gov" <technology@sba.gov>, "SEC" <foia/pa@sec.gov>, "Barry Smith" <barrysmith@nyfllix.com>, "State Of Pa Fellow Webmaster" <ra-erwebmaster@state.pa.us>, "State Of Pa Fellow Webmaster" <ra-ethicswebmaster@state.pa.us>, "State Of Pa Fellow Webmaster" <ra-jcwebmaster@state.pa.us>, "US Supreme Court-Please Forward" <gpoaccess@gpo.gov>, "United Nations" <tb-petitions@ohchr.org>, "United Nations" <ngoohchr@ohchr.org>, "United Nations" <personnel@ohchr.org>, "United Nations" <fellowship\_prog@ohchr.org>, "United Nations" <infodesk@ohchr.org>, "United Nations" <publications@ohchr.org>, "US Congress" <kathleen.chapman@mail.house.gov>, "NJ District Court" <ecfhelp@njdc.uscourts.gov>, "Delaware Corporation Bureau" <gic@state.de.us>, "DOC" <psaputo@eda.doc.gov>, "DOC" <rhickey@eda.doc.gov>, "eFiling" <ecf\_paed@paeduscourts.gov>, "ePacermail" <pacermail@psc.uscourts.gov>, "FEC" <foia@fec.gov>, "foia" <alexandra\_mallus@ios.doi.gov>, "foia" <foia-pa@occ.treas.gov>, "foia" <efoia@fdic.gov>, "LC Court Administration" <CAHelp@lehighcounty.org>, "Lehigh County Domestic Relations Rosemary McFee" <rosemariymcfee@pacses.com>, "LC Court Lisa Wilson" <lisawilson@lehighcounty.org>, "Melissa K" <kirchnerm@allentownsd.org>, "NCUA" <ohrmail@ncua.gov>, "NJ District Court" <ecfhelp@njdc.uscourts.gov>, "US Whitehouse" <comments@whitehouse.gov>, "US Whitehouse" <vice\_president@whitehouse.gov>

AN  
15 legal  
pages  
we  
legally  
included

US District Court and Others Federal Civil Case Subpoena Side 1.pdf.PDF (812KB),  
US District Court and Others Federal Civil Case Subpoena Side 2.pdf.PDF (100KB),  
US District Court and Others Federal Criminal Case Subpoena Side 1.pdf.PDF (514KB),  
US District Court and Others Federal Criminal Case Subpoena Side 2.pdf.PDF (521KB),  
Wheel Incident Pictures -More Pictures Are Available Fed5-CV-4457 and Others.PDF (108KB),  
eFilings in US District Court in Virginia.pdf (1125KB),  
Bring Forward Evidences Blocked By Them In The Past tbd Possible. They Complied Partially With The Picture Page 2 of 3.PDF (155KB),  
Bring Forward Evidences Blocked By Them In The Past tbd Possible. They Complied Partially With The Picture Page 3 of 3.PDF (160KB),  
Bring Forward Evidences Blocked By Them In The Past tbd Possible. They Complied Partially With The Pictures Of Wheel In...PDF (164KB),  
United States Whitehouse Website Online Form eFilings System Check and Contents 01302008 Page 1.PDF.PDF (73KB),  
United States Whitehouse Website Online Form eFilings System Check and Contents 01302008 Page 2.PDF.PDF (75KB),  
United States Whitehouse Website Online Form eFilings System Check and Contents 01302008 Page 3.PDF.PDF (30KB)

#### Observations and Opinions.

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"ALL LEGAL WRITINGS HEREWITHIN AND ALL SURROUNDINGS IS LEGALLY EFFECTIVE IMMEDIATELY" "ALL REPLIES TO BE IN LEGAL WRITINGS AND TO BE SENT TO THE COURTS LISTED, PLEASE" Please include all individuals thought to be and possibly acting on your organizations behalf. Bottom line

US Court of Federal Claims, US District Courts (Philadelphia, Pennsylvania, Alexandria, Virginia and  
all others)

# UNITED STATES DISTRICT COURT

Eastern (All of the US)

DISTRICT OF

Pennsylvania, New Jersey, Tennessee,  
Virginia, California, Florida, Ohio,  
North Carolina and Kansas and  
Michigan and more and  
Delaware

BR Smith & others (A class Action)

v. LHC's and others

Inactive Due to  
All Renter

MB Wagner, Lehman Brothers (All  
name variations), The Lehigh County Pa, the  
Commonwealth of Pennsylvania (and all  
states) and all others possibly involved -  
To: Lehman Brothers (all name variations)  
745 Seventh Avenue, New York, NY  
10019 And all locations and all others

Case Number: Fed: 5-CV-4457 and

Fed: 1:06mc54 and others including  
all Lehigh County, Pa courts and  
all US Courts and all legal  
filings and legal attachments.

☐ YOU ARE COMMANDED to appear in the United States District Court at the place, date, and time specified below,  
or any subsequent place, date and time set by the court, to testify in the above referenced case. This subpoena shall  
remain in effect until you are granted leave to depart by the court or by an officer acting on behalf of the court.

PLACE If you can't read and/or understand, please contact

COURTROOM

federal subpoena by yahoo.com and/or any of the US Courts legally  
listed on these legal documents and/or the legal filings and legal attachments.

DATE AND TIME

☒ YOU ARE ALSO COMMANDED to bring with you the following document(s) or object(s): Please send

by legal communications in two ways and to two locations your  
legal replies and please focus your legal replies on all (possible)  
information of relations, associations and possible involvements towards  
BR Smith (aka Beverly E Smith - all name variations Ev: Bob) & others (his  
past business ventures and entities ev: Internet, movies, financial and others) old  
home and home office at 506 E. Mosser St, Allentown, Pa. 18103 (9) Please  
others pages legally transferred here within all (some but not all) possible involvements,  
if any.

U.S. MAGISTRATE JUDGE OR CLERK OF COURT

DATE

(By) Deputy Clerk

ATTORNEY'S NAME, ADDRESS AND PHONE NUMBER:

BR Smith & others, BR Smith & others, 1545  
W. Greentree St, Allentown, Pa. 18102 (Pro Se, In Forma Pauperis, class Action.)

No phone. Please call any US Courts if needed (legally listed - phone numbers, fax, citations  
observations and opinions)

No Accusations and Allegations are being Repressed and Implied -

(These legal documents and all legal case and legal writings contents may be  
if not and sent and stored legally)

RECEIVED BY SERVER	DATE 10/02/2008	PLACE Likman Brothers (all name variations) and more and others, 745 Seventh Avenue, all New York, NY 10019 and others.
SERVED	DATE 10/02/2008	PLACE Likman Brothers (all name variations) and more and others, 745 Seventh Avenue, New York, NY 10019 and others. (all)
SERVED ON (PRINT NAME) Likman Brothers (all name variations) and more and others, 745 Seventh Avenue, New York, NY 10019 and all others.		FEE'S AND MILEAGE TENDERED TO WITNESS <input type="checkbox"/> YES <input type="checkbox"/> NO    AMOUNT \$ _____
SERVED BY (PRINT NAME) B K Smith & others (A Class Action); c/o G. Smith, 1545 W Greenleaf St Allentown, Pa 18102		TITLE Pro Se, In Forma Pauperis

## DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Proof of Service is true and correct.

Executed on

10/2/2008

DATE \_\_\_\_\_

Please reply in legal writings as previously  
legally described by 11/2/2008. One  
month of receipt by Lehman Brothers  
LA Name Verification and all others

BK Smith & others / BK ~~Smith~~

SIGNATURE OF SERVER *C/O Gloria Smith*

1545 W bracket st

ADDRESS OF SERVER

Allentown, Pa 18102

### ADDITIONAL INFORMATION

ADDITIONAL INFORMATION ② These legal documents herewithin and all throughout are legally transferred, automatically interchangeable and legally bound and legally bound to all case filings in all courts as legally described and in all legal papers, legal filings and legal attachments and all others. ③ This is a legal, equitable and compensatory claim also as of the first date sent, reserved, served and all prior legal possible events, if applicable.

④ Please see all organizations (for example) and all locations some legal include: all financial organizations (i.e. Charles Schwab Investments and others in the Omega Buildings on 5 Cedar Crest Blvd, Allentown Pa and all <sup>(all possible)</sup> movie organizations for legally or simply Paramount, Newburger & Berman, Wells Fargo, Mellon Investors, JP Morgan, <sup>(all possible)</sup> Another Venture Capital <sup>(all possible)</sup> (organizations), Scottrade, Lehigh County Pa (computerware) (all Drip-Stroke Transfer Organizations), and the Commonwealth of Pa (Pensions, Retirement, <sup>all</sup> other financial organizations) with all other states (Tennessee and more), Datak also TD Ameritrade (First Horizon) and <sup>all business permits organizations, all business license organizations, all legal organizations</sup> others and please do not exclude all federal organizations, all state organizations, all local organizations, all retired individuals, all security organizations and all other

Observations and Opinions, No Accusations and <sup>Organizations and associations, and more</sup> Allegations are being

## Expressed and Implied

please see other legal

Pages and all credit organizations  
and all strategic analyst organizations (RT: Stiles and all

precursors) and all newspaper organizations and all musical

BA - structure and all transportation vehicles in a city

Observations and opinions being expressed and implied.  
No Accusations and Allegations are Issued by the

## UNITED STATES DISTRICT COURT

Page 6 of 8

Eastern (All of the US)

DISTRICT OF

Pennsylvania, New Jersey, Tennessee,  
Virginia, California, Florida, Ohio, Michigan,  
SUBPOENA IN A CIVIL CASE and all  
others and  
Delaware

B. E. Smith & others (A class Action - L&L's and  
V. others Inactive Due to All  
Rush)

MB Wagner, Lehman Brothers (all name  
variations, The Lehman Brothers, the commonwealth of  
Pennsylvania (state all states) and all others  
To: Lehman Brothers (all name variations) 745 Seventh  
Avenue, New York NY 10019 and all locations  
and all others

Case Number: Fed: 5-CV-4457 and

Fed: 1:06mc54 And All others

as legally written on the criminal

case legal document legally attached and

legally transferred here within and on throughout

PLACE OF TESTIMONY: Any consulting, media, advertising organizations

COURTROOM

and all similar to and all partnerships, co-ops and joint ventures, all

DATE AND TIME

electronic organizations, all electronic transaction organizations, all

wholesaling organizations and all other legal entities and individuals, all products organizations, also

☐ YOU ARE COMMANDED to appear in the United States District court at the place, date, and time specified below  
testify in the above case.

PLACE OF DEPOSITION

DATE AND TIME

Please legally apply in legal writings with Real Names of individuals  
and organizations of all possible stealing of information also in specific  
details and in particular. All organizations and associations and companies and more

☒ YOU ARE COMMANDED to produce and permit inspection and copying of the following documents or objects at the  
place, date, and time specified below (list documents or objects): Please send

All legal documents here within and all throughout are legally attached,  
legally automatically transferred, legally bound legally included to all case filings, all legal filings  
legally automatically transferred, legally bound legally included to all case filings, all legal filings

PLACE: Some locations possible: http://www.lehman.com/wholesale/offices/

DATE AND TIME

Americas, firm (And all items, websites, each item, also websites and all legal, and all events, all  
attachments

☐ YOU ARE COMMANDED to permit inspection of the following premises at the date and time specified below.

PREMISES locations possible: 399 Park Avenue, 1271 Avenue of the Americas, 1501

DATE AND TIME

Avenue of the Americas all in New York City, New York, 3414 Peachtree Road

in Atlantic City, Boston, Massachusetts, Elmhurst Park New Jersey, Tampa Florida, Chicago Illinois,  
Seattle Washington, Market St Philadelphia, Salt Lake City Utah, Los Angeles California,  
Any organization not a party to this suit that is subpoenaed for the taking of a deposition shall designate one or more officers,  
directors, or managing agents, or other persons who consent to testify on its behalf, and may set forth, for each person designated, the  
matters on which the person will testify. Federal Rules of Civil Procedure, 30(b)(6). And  
Harrisburg Pa (7) Carlisle Pa and All surrounding locations Jersey City New Jersey (All locations)

ISSUING OFFICER'S SIGNATURE AND TITLE (INDICATE IF A OR NET FOR PLAINTIFF OR DEFENDANT) DATE  
10/21/2008

ISSUING OFFICER'S NAME AND PHONE NUMBER: B. E. Smith & others, B. E. Smith & others, 1545 W  
University St, Allentown, Pa. 18102 (Pro Se, In Forma Pauperis, Class Actions)  
No Phone. Please call any US courts if needed (legal listed phone numbers, for filings  
(See Rule 45, Federal Rules of Civil Procedure, Parts 1 & 2 on next page) aka email)

ISSUING OFFICER'S SIGNATURE AND TITLE (INDICATE IF A OR NET FOR PLAINTIFF OR DEFENDANT) DATE

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(See Rule 45, Federal Rules of Civil Procedure, Parts 1 & 2 on next page) aka email)

If action is pending in district other than district of issuance, state district under case number.

Observations and Opinions. No Accusations and Allegations are being

Expressed and Implied. More maybe added in the legal filings sent to

Lehman Brothers

Observations and Allegations are being Represented and Implied

PROOF OF SERVICE

SERVED ON (PRINT NAME) Likhen Brothers (all name variations), the  
10/2/2008 10019 and all locations and all others  
10/2/2008 US Mail Certified Return Receipt and Signature  
legally requested.

SERVED BY (PRINT NAME) B.F. Smith & Others TITLE Pro Se, In Forma Pauperis  
DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Proof of Service is true and correct.

Executed on 10/2/2008 DATE  
And please legally include at Lehigh County  
Pa Public Assistance organizations, if  
involved.  
B.F. Smith & Others SIGNATURE OF SERVER  
W. Brunkley St ADDRESS OF SERVER  
Allentown, Pa. 18102

Rule 45, Federal Rules of Civil Procedure, Parts C & D:

(1) PROTECTION OF PERSONS SUBJECT TO SUBPOENAS.

(1) A party or an attorney responsible for the issuance and service of a subpoena shall take reasonable steps to avoid imposing undue burden or expense on a person subject to that subpoena. The court on behalf of which the subpoena is issued shall enforce this duty and impose upon the party or attorney in breach of this duty an appropriate sanction which may include, but is not limited to, lost earnings and reasonable attorney's fee.

(2) (A) A person commanded to produce and permit inspection and copying designated books, papers, documents or tangible things, or inspection of premises need not appear in person at the place of production or inspection unless commanded to appear for deposition, hearing or trial.

(B) Subject to paragraph (d) (2) of this rule, a person commanded to produce and permit inspection and copying may, within 14 days after service of subpoena or before the time specified for compliance if such time is less than 14 days after service, serve upon the party or attorney designated in the subpoena written objection to inspection or copying of any or all of the designated materials or the premises. If objection is made, the party serving the subpoena shall not be entitled to inspect and copy materials or inspect the premises except pursuant to an order of the court by which the subpoena was issued. If objection has been made, the party serving the subpoena may, upon notice to the person commanded to produce, move at any time for an order to compel the production. Such an order compelling production shall protect any person who is not a party or an officer of a party from significant expense resulting from the inspection and copying commanded.

(3) (A) On timely motion, the court by which a subpoena was issued shall ash or modify the subpoena if it

(i) fails to allow reasonable time for compliance,

(ii) requires a person who is not a party or an officer of a party to

(iii) requires disclosure of privileged or other protected matter and no exception or waiver applies, or

(iv) subjects a person to undue burden.

(B) If a subpoena

(i) requires disclosure of a trade secret or other confidential research, development, or commercial information, or

(ii) requires disclosure of an unretained expert's opinion or information not describing specific events or occurrences in dispute and resulting from the expert's study made not at the request of any party, or

(iii) requires a person who is not a party or an officer of a party to incur substantial expense to travel more than 100 miles to attend trial, the court may, to protect a person subject to or affected by the subpoena, quash or modify the subpoena, or, if the party in who behalf the subpoena is issued shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship and assures that the person to whom the subpoena is addressed will be reasonably compensated, the court may order appearance or production only upon specified conditions.

(d) DUTIES IN RESPONDING TO SUBPOENA.

(1) A person responding to a subpoena to produce documents shall produce them as they are kept in the usual course of business or shall organize and label them to correspond with the categories in the demand.

(2) When information subject to a subpoena is withheld on a claim that it is privileged or subject to protection as trial preparation materials, the claim shall be made expressly and shall be supported by a description of the nature of the documents, communications, or things not produced that is sufficient to enable the demanding party to contest the claim.

Observations and Opinions  
No Accusations and Allegations are being Represented and Implied

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and  
Fed: 106mc 54 and  
Others



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